

City of York Planning Commission
September 27, 2021
Minutes

Members present:

Chairperson Wendy Duda
Matt Hickey
Maria Duncan
Charles Brewer
Ron Parrish
Arthur Lowry
Francine Mills

Members absent:

Others present:

Planning Director Breakfield
Zoning Administrator Blackston
City Manager Duncan
(see sign-in sheet)

The first item of business was Chairperson Wendy Duda calling the meeting to order at 6:03 pm.

The second item of business was the discussion of a potential Executive Session for the receipt of legal advice due to legal matters.

Upon a Motion by Maria Duncan, seconded by Matt Hickey, the Commission unanimously voted to enter Executive Session; thereafter, the Commission reconvened regular session and indicated that no action was taken in Executive Session.

The third item of business was the discussion of revised amenity requirements for the Asbury Ridge project.

After discussion and upon a Motion by Charles Brewer, seconded by Maria Duncan, the Commission unanimously approved the following revised amenity requirements for the Asbury Ridge project:

1. *Century will provide the City a letter of credit for 150% of the estimated amount to construct the amenities;*
2. *Century will construct all amenities in Phase I before approval and recording of the Phase II final plat;*
3. *Century will construct all remaining amenities including the gazebo, playground, and trails before approval and recording of the Phase III final plat;*
4. *Century will construct all amenities before the City releases the letter of credit; and*
5. *If Century does not construct all amenities by December 31, 2026, the City may draw on the letter of credit to complete the amenities not yet installed.*

The fourth item of business was approval of the draft Minutes from the August 23, 2021 meeting.

Upon a Motion by Arthur Lowry, seconded by Ron Parrish, the Commission unanimously approved the draft Minutes as submitted.

For the fifth item of business, Chairperson Duda opened the floor for comments from the public on agenda items.

The sixth item of business was a proposed single-family dwelling subdivision near the intersection of Devinney Road and McFarland Road (Tax Map Id # 3460000006):

The following was discussed:

- a. The City has received an application to rezone the specified properties from York County zoning classifications RDI and RDII to City of York zoning classification R5 – Multifamily Residential. An annexation request will be required for this project.

As with any rezoning application, the Planning Commission (PC) must review the application and then render a recommendation to York City Council. As the rezoning application is reviewed, the PC must be mindful that, among other things, the City's Comprehensive Plan must be used in the evaluation process. City Council must take the PC recommendation, conduct a public hearing(s), receive public feedback and make a final decision on the matter.

- b. In a R5 – Multifamily Residential Zoning District, single family dwelling subdivisions are allowed only by special exception approval. The City received a special exception application and conceptual site plan for a single family dwelling subdivision to be located as referenced above.

Any recommendation for approval of the special exception application and conceptual site plan must be contingent on York City Council ultimately approving the requested R5 – Multifamily Residential zoning designation for the properties.

As the special exception application and conceptual site plan are reviewed, the PC must be mindful that, among other things, the City's Comprehensive Plan must be used in the evaluation process and that the following factors must be addressed in the decision-making process:

- a. The proposed design and location of the particular development.
- b. The possible traffic-generating characteristics of the proposed development.
- c. The effects of the proposed development on the present or intended character of the area in which it is proposed for location.
- d. The availability of public utilities, facilities and services.

As with any special exception application, the PC must review the application and then render a recommendation to the Board of Zoning Appeals (BZA). The BZA must take the PC recommendation, conduct a public hearing(s), receive public feedback and make a final decision on the matter.

Representatives of Bloc Design presented and discussed the proposed project. The presentation included an itemized response to previous comments by the PC and City staff.

After much discussion and by affirmation, the Commission stated that it would like the applicant to address comments from City staff and return at a subsequent meeting for further discussion and review.

The seventh item of business was a rezoning application for 531 Railroad Avenue (referenced by Tax Map # 0700926020).

Planning Director Breakfield indicated the following regarding the application:

1. The subject property is referenced by York County tax map # 0700926020 and has a split zoning of GI and R7 per the provided information. The applicant requested that the R7 portion be rezoned to GI per the attached application and supporting information (thus making the entire property have a zoning classification of GI).
2. As with any rezoning application, the PC must review the application and then render a recommendation to York City Council. Among other things, in reviewing the rezoning request, the PC should evaluate the application for compliance with the comprehensive plan and consider the potential effects on the surrounding area.
3. City Council must take the PC recommendation, conduct a public hearing(s), receive public feedback and make a final decision on the matter.

After discussion and upon a Motion by Maria Duncan, seconded by Arthur Lowry, the Commission unanimously approved the application as submitted.

The eighth item of business was a rezoning application for 107 Fleetwood Road (referenced by Tax Map #'s 0701401064 and 0701401061).

Planning Director Breakfield indicated the following regarding the application:

- The subject property is referenced by York County tax map #'s 0701401064 and 0701401061. The applicant requested that the property be rezoned from HC to R7 per the provided application and supporting information.
- As with any rezoning application, the PC must review the application and then render a recommendation to York City Council. Among other things, in reviewing the rezoning request, the PC should evaluate the application for compliance with

the comprehensive plan and consider the potential effects on the surrounding area.

- City Council must take the PC recommendation, conduct a public hearing(s), receive public feedback and make a final decision on the matter.

The applicant represented the application and answered the Commission's questions regarding reasons for rezoning, etc.

After discussion and upon a Motion by Matt Hickey, seconded by Arthur Lowry, the Commission unanimously approved the application as submitted.

The ninth item of business was the review of a preliminary plat for a single-family dwelling development at the intersection of Washington Street and West Madison Street.

Planning Director Breakfield indicated that the applicant would like the Commission to issue a variance eliminating the open space requirements for this project and that the applicant would provide his reasoning for the variance request.

After discussion and upon a Motion by Charles Brewer, seconded by Arthur Lowry, the Commission unanimously voted to conditionally approve the preliminary plat based on certain specified issues being verified by City staff and granted a variance to allow the property to be developed without having to meet the open space requirements.

The tenth item of business was discussion of a potential zoning amendment regarding brewpubs.

Planning Director Breakfield explained the definition of a brewpub versus a standard bar and restaurant.

The Commission indicated a desire to consider the creation of potential brewpub standards and then requested that further information and a draft ordinance be presented at an upcoming meeting; furthermore, the Commission requested that staff review potential requirements for breweries and microbreweries.

There being no further business, the meeting was adjourned at 8:40 pm.

Respectfully submitted,

C. David Breakfield, Jr. MCP, AICP
Planning Director

cc: File – Planning Commission 9/27/2021
Seth Duncan, City Manager